

E
X
H
I
B
I
T

F

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, ET AL.,

Plaintiffs,

v.

BRIAN KEMP, ET AL.,

Defendants.

Civil Action No. 1:17-CV-2989-AT

DECLARATION OF ELIZABETH THROOP

Elizabeth Throop declares, under penalty of perjury, pursuant to 28 U.S.C. §1746, that the following is true and correct:

1. My name is Elizabeth Throop
2. I have personal knowledge of all facts stated in this declaration, and if called to testify, I could and would testify competently thereto.
3. This declaration supplements my declarations of December 15, 2019 (Doc. 680, Ex. M); March 10, 2020 (Doc. 723, Ex. B); July 23, 2020 (Doc. 755, Ex. 3); and August 24, 2020 (Doc. 809, Ex. 7).
4. I am a registered voter in DeKalb County. I am a member of Coalition for Good Governance and an active volunteer in supporting its voter education and election security efforts.
5. On Tuesday, December 15, 2020 I went to DeKalb County's Election Office on Memorial Drive to pick up poll watching credentials and advance vote in the January 5, 2021 Senate Runoff. After picking up credentials at the Elections office, I stood in the hall and looked inside the regular voting area for early voting.
6. In the voting area, there appeared to be about 30 BMD touchscreens arranged in four banks. Two pairs of banks of machines faced each other. I have illustrated the BMD arrangement in Exhibit 1. The part of the room with the touchscreens was only about 18 feet wide, meaning that voters would have to squeeze

past one another to come and go from the touchscreens.

7. In order to vote on the touchscreen there as I had planned, I would have had to vote at a machine in other voters' line of sight, unless I potentially found a more private spot at the rear of the room. Even making my way back to a potentially private machine, I would have to walk to the very back of the area, passing with visual access to other voters' touchscreens and how they were voting, which makes me uncomfortable.

8. When I voted on a touchscreen in March 2020, I had been directed to walk directly behind other voters as they were voting on the touchscreens, and I did not want to repeat that uncomfortable feeling. The voting booths were directly next to one another in each bank, affording views from one voting booth to the adjoining unit. A poll worker stood near the touchscreens, and appeared to have clear views to several touchscreens. I have noticed poll workers in such roles often move around the room, sometimes standing behind people as they vote, which added to my concerns, and I wanted to avoid that loss of voting privacy.

9. As an active member of Coalition for Good Governance, I strive to be a non-partisan voice for election integrity, and that means the privacy of my vote is important to me. I didn't want other voters or poll workers to see my touchscreen choices. Because the arrangement of the Memorial Drive voting facility did not provide adequate privacy, I never checked in, and I left without voting. I decided that I would choose a different location and time to vote and make another trip to the polls.

10. Two weeks later I drove to Flat Shoals Library to vote, where the equipment arrangement was different, there were few other voters, the poll workers were not facing the touchscreens, and I was more confident about the privacy of my vote.

11. When I checked in to vote, the poll worker found my record in the E-Net laptop and recorded my check in. In a separate step, a poll worker used a Poll Pad to encode my voter access card, which required her unplugging the encoder and plugging it back in. Other than the brief delay with the encoder, I did not encounter any problems in early voting check-in.

12. After making my choices on the touchscreen, I checked the touchscreen displayed choices carefully before selecting “print ballot.” I was determined to also check the printout carefully, which takes concentration because of the unusual text format and small font size. I stood at the touchscreen and printer to have privacy to concentrate to review the printout. However, before I could review my ballot, a poll worker immediately began telling me to remove the green access card from my voting machine. As soon as I removed it, the poll worker directed me over to the scanner, where another worker told me to insert the printout into the machine. Before I knew it, I had cast my ballot in the scanner without checking it as I had intended.

13. I was really frustrated that, even though I was very focused on the importance of checking ballot printouts, my goal to check my printout was derailed as I was distracted by these poll workers who were just trying to do their jobs. No one asked me to check my ballot. The result was that I was not entirely sure what the printout text reported about my vote, although I am aware that my actual vote is recorded in the QR code, which I cannot read.

14. One concern I had was how the races were listed on the printout, because my touchscreen and my printout had been different when I early-voted in the November 3, 2020 election. In that election, on the touchscreen display a Senate race was entitled using the name of the former incumbent candidate, Isakson. On the printout, that same race in the same November 3, 2020 election was entitled using the current incumbent candidate’s name, Loeffler – which seemed a likely error. When voting in the January Senate Runoff, that race was listed onscreen as Isakson – but I cannot say with confidence how that race was listed on the printout, because I got distracted and cast it before checking it thoroughly.

15. Given the importance of my vote, I’m very frustrated by how many steps have to be completed in a short time in the pressure of a public polling place where there is understandable pressure to keep the process moving. I would vote more frequently by absentee ballot if absentee voting were more reliable in DeKalb County. In my work with Coalition for Good Governance, I have fre-

quently become aware of voters having problems getting their absentee ballots delivered, returned, and counted in DeKalb County since I sometimes attempt to assist voters who are experiencing such problems. Unless there is extended time to track ballots and remedy any problems, I feel that early voting may be the least risky method of voting for me in DeKalb County.

16. My decision is also based on the higher risk of encountering check-in problems on Election Day when the Poll Pads, not E-Net laptops, are used for voter check-in. I have observed Poll Pad Election Day problems and am familiar with the Coalition Plaintiffs' evidence of such problems, which have frequently required provisional voting by voters, because there is no reliable paper poll book backup. I have seen such problems seriously delay voters, and I would not want to risk depriving anyone of their opportunity to vote on Election Day, since that would be their last chance to vote. I want to minimize my chance of having to vote by provisional ballot or add to long delays of voters, and these reasons cause me to vote in voting center during early voting.

17. However, my strong preference is to vote on Election Day at my home precinct on an auditable hand marked ballot that I mark in complete privacy. Waiting until Election Day to vote would afford the opportunity to have the latest news about candidates on the ballot, which I value. However, given my desire to vote privately, which is more difficult on touchscreens in my home polling place on a busy Election Day, and my desire to avoid Election Day Poll Pad check-in problems and delays, I have recently chosen to forego my preferred time and place of voting to vote at an early voting site.

Executed on this date, February 9, 2021.

A handwritten signature in black ink, appearing to read "Elizabeth Throop", with a stylized, flowing script.

Elizabeth Throop